

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

9:30 A.M.

THURSDAY, February 8, 1990

The assembly met.

Speaker pro tempore Clarenbach in the chair.

The prayer was offered by Representative Wood.

Representative Deininger led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, C., Potter, R., Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 96.

Absent — None.

Absent with leave — Representative Welch — 1.

Vacancies — 10th and 14th Assembly Districts — 2.

AMENDMENTS OFFERED

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Joint Resolution 18** offered by committee on State Affairs.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Joint Resolution 18** offered by committee on State Affairs.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Joint Resolution 18** offered by Representative Black.

Assembly amendment 1 to **Assembly Joint Resolution 105** offered by Representative Schmidt.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 254** offered by Representative Walling.

Assembly amendment 2 to assembly amendment 1 to **Assembly Bill 254** offered by Representative Walling.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 347** offered by Representatives Krusick, Carpenter, Grobschmidt and Bock.

Assembly amendment 2 to **Assembly Bill 408** offered by Representatives Clarenbach, Radtke and Carpenter.

Assembly amendment 1 to **Assembly Bill 554** offered by committee on Financial Institutions and Insurance.

Assembly amendment 2 to **Assembly Bill 554** offered by committee on Financial Institutions and Insurance.

Assembly amendment 2 to **Assembly Bill 681** offered by Representative Notestein.

Assembly amendment 5 to **Assembly Bill 701** offered by Representatives Clarenbach, Radtke and Carpenter.

Assembly amendment 1 to **Assembly Bill 780** offered by committee on Housing, Securities and Corporate Policy.

Assembly amendment 1 to **Assembly Bill 798** offered by committee on Housing, Securities and Corporate Policy.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Bill 841

Relating to income that may be retained by a medical assistance beneficiary who is in an institution.

By Representatives Barca, Hinkfuss, Krusick, Rohan, R. Potter, Radtke, Grobschmidt, Stower, Baldus, Van Gorden, Plache, Medinger, Huber, Hamilton, Wood, Lautenschlager, Zweck, Notestein, Van Dreel, Young, Tregoning and Musser, cosponsored by Senators Helbach, Andrea, Strohl, Weeden, Feingold and Kincaid.

To committee on Aging.

Assembly Bill 842

Relating to repairs, replacements and refunds under warranties on boats.

By Representatives Underheim, Radtke, Ott, Huelsman, Schmidt, Tregoning, Vergeront and Zien, cosponsored by Senators Van Sistine and Farrow.

To committee on Commerce and Consumer Affairs.

Assembly Bill 843

Relating to the penalty for discharge of an employe.

By Representatives Underheim, Schmidt and Zien, cosponsored by Senator Van Sistine.

To committee on Labor.

Assembly Bill 844

Relating to telephone information services.

By Representatives Seery, Bell, Carpenter, Wood, Lautenschlager, Turba, Vanderperren, Bolle, Goetsch, Huelsman, Klusman and Schneiders, cosponsored by Senators Czarnezki, Plewa, Chilsen and Farrow.

To committee on Environmental Resources and Utilities.

Assembly Bill 845

Relating to construction of an elementary school in Lac du Flambeau school district no. 1 and making an appropriation.

By Representatives Boyle, Lorge, M. Coggs, Travis, Carpenter, Vergeront, Bock and Zweck, cosponsored by Senator Stitt.

To committee on Education.

Assembly Bill 846

Relating to requiring school districts to teach pupils the state song.

By Representative Hubler, cosponsored by Senator Jauch, by request of Mr. Suino's Fifth Grade Class at Franklin Elementary School in Rice Lake.

To committee on Education.

Assembly Bill 847

Relating to providing children-at-risk programs and other services for pupils enrolled in the Milwaukee public schools who have been sanctioned under the learnfare program and making appropriations.

By Representatives Notestein, Plache, Bock, R. Potter, Carpenter, Krug, M. Coggs and Seery, cosponsored by Senators Strohl, Barrett, Burke and Czarnezki.

To committee on Urban Education.

Assembly Bill 848

Relating to various changes to the statutes pertaining to truancy.

By Representatives Van Dreel, Lautenschlager, Vanderperren, Schneiders, Van Gorden, Zien and Grobschmidt, cosponsored by Senator Buettner.

To committee on Children and Human Services.

Assembly Bill 849

Relating to mutual savings and loan holding companies.

By Representative Fortis, cosponsored by Senator Ulichny.

To committee on Financial Institutions and Insurance.

Assembly Bill 850

Relating to health insurance for employes of small businesses, creating a small business insurance board, creating a small business health insurance tax credit and granting rule-making authority.

By Representatives Rosenzweig, Antaramian, Panzer, Fortis, Ourada, Hubler, Radtke, Deininger, Schneiders, Van Gorden, Klusman, Tregoning, Underheim, Schmidt, Vergeront, Musser, Goetsch and Ladwig, cosponsored by Senators Rude, Van Sistine, Lorman, Andrea, Buettner, Lasee, Farrow and Kreul.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 851

Relating to denying employes the option of substituting paid leave for family leave or medical leave unless it is allowed in a collective bargaining agreement.

By Representatives Hubler, Hamilton, Volk, Zweck, Zeuske, Panzer, Harsdorf, Rosenzweig, Ott, Musser, Brandemuehl, Lorge, Turba, Schultz, Bolle, Baldus and Lahn, cosponsored by Senators Jauch, Roshell, Cowles, Lasee, Buettner, Davis and Leean.

To committee on Labor.

Assembly Bill 852

Relating to school district peer mediation programs for pupils.

By Representatives Seery, Notestein, Schneiders, S. Coggs, R. Potter, Zien and Bock, cosponsored by Senators Czarnezki and Buettner.

To committee on Education.

Assembly Bill 853

Relating to the creation of a state-local relations council.

By committee on Urban and Local Affairs.

To committee on Urban and Local Affairs.

COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 235

Relating to motor vehicle dealer franchise agreements and requiring grantors of motor vehicle franchises to buy back inventory and make other payments in certain cases.

Adoption of assembly amendment 1 to assembly substitute amendment 2:

Ayes: (11) Noes: (0)

Adoption of assembly substitute amendment 2:

Ayes: (10) Noes: (1)

Passage: Ayes: (9) Noes: (2)

To committee on Rules.

Assembly Bill 749

Relating to the regulation of retail sales by transient merchants.

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Passage: Ayes: (11) Noes: (0)
To committee on Rules.

ANNETTE WILLIAMS
Chairperson

The committee on Criminal Justice and Public Safety reports and recommends:

Assembly Bill 31

Relating to arrests in populous counties and counties adjacent to populous counties.

Adoption of assembly substitute amendment 1:
Ayes: (14) Noes: (0)

Passage: Ayes: (11) Noes: (3)
To committee on Rules.

Assembly Bill 540

Relating to the secure storage of loaded firearms, transfer of weapons, warnings about the failure to secure loaded firearms, establishment of a gun safety program and providing penalties.

Adoption of assembly amendment 1:
Ayes: (14) Noes: (0)

Adoption of assembly amendment 2:
Ayes: (12) Noes: (2)

Passage: Ayes: (14) Noes: (0)
To Joint Committee on Finance.

Assembly Bill 587

Relating to preventing felons from owning a burglar alarm installation company, preventing those companies from hiring felons and providing a penalty.

Passage: Ayes: (12) Noes: (2)
To committee on Rules.

Assembly Bill 656

Relating to the interference by persons with lawful hunting, fishing or trapping and providing penalties.

Passage: Ayes: (13) Noes: (1)
To committee on Rules.

Assembly Bill 661

Relating to an affirmative defense if a person is charged with causing death or injury while under the influence of an intoxicant, drugs or both.

Passage: Ayes: (14) Noes: (0)
To committee on Rules.

Assembly Bill 669

Relating to fraud on hotel or restaurant keeper, absconding without paying rent and providing penalties.

Adoption of assembly amendment 1:
Ayes: (14) Noes: (0)

Passage: Ayes: (11) Noes: (3)
To committee on Rules.

WAYNE WOOD
Chairperson

The committee on Housing, Securities and Corporate Policy reports and recommends:

Assembly Bill 798

Relating to providing technical assistance, grants for technical assistance and grants for business investment to assist with the start-up or expansion of businesses and making appropriations.

Adoption of assembly amendment 1:
Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)
To Joint Committee on Finance.

SCOTT FERGUS
Chairperson

The committee on Tourism, Recreation and Government Operations reports and recommends:

Assembly Bill 207

Relating to use of rusty crayfish as bait and providing a penalty.

Adoption of assembly amendment 1:
Ayes: (8) Noes: (0)

Passage: Ayes: (8) Noes: (0)
To committee on Rules.

LARY SWOBODA
Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Bill 33
Assembly Bill 168
Assembly Bill 208
Assembly Bill 210
Assembly Bill 352
Assembly Bill 433
Assembly Joint Resolution 115

Passed and asks concurrence in:

Senate Bill 296
Senate Bill 337
Senate Bill 400

Adopted and asks concurrence in:

Senate Joint Resolution 66

Concurred in as amended:

Assembly Bill 220 (Senate amendment 1 adopted)
Assembly Bill 557 (Senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 220

Relating to various changes in the regulation of psychologists by the psychology examining board and granting rule-making authority.

By Representatives Zweck, Plache, Barca, Notestein, Robson, Van Dreel, Fergus, Huber, Duff, Van Gorden, Musser, Bolle, Holschbach, Rosenzweig, Brandemuehl and Swoboda, cosponsored by Senators Helbach, Lcean and Shoemaker, by request of Psychology Examining Board.

To calendar.

Assembly Bill 557

Relating to probationary periods for state employes with physical disabilities.

By Representatives Hinkfuss, Barca, Schmidt, Baldus, Zweck, Tregoning, Hubler, Fergus, Carpenter, Seery, Vanderperren, Hasenohrl, Robson, Lautenschlager, Moore, Rohan, Volk, Plache, Stower, Van Dreel and Antaramian, cosponsored by Senators Van Sistine, Strohl, Lorman and Moen.

To calendar.

Senate Bill 296

Relating to changes to the uniform limited partnership act.

By Senators George and Davis; cosponsored by Representatives Prosser and Barrett, by request of Wisconsin Commission on Uniform State Laws.

To committee on Housing, Securities and Corporate Policy.

Senate Bill 337

Relating to transfer on death security registration and nonprobate transfers at death.

By Senators Davis, Adelman and George; cosponsored by Representatives Barrett, Rutkowski and Prosser.

To committee on Judiciary.

Senate Bill 400

Relating to the Minnesota-Wisconsin student reciprocity agreement.

By Senators Jauch, Rude, Roshell, Moen, Kreul, Cowles, Stitt, Andrea, Buettner, Lorman, Feingold and Chilsen; cosponsored by Representatives Medinger, Harsdorf, Prosser, Johnsrud, Boyle, Lahn, Rohan, Radtke, Gruszynski, Panzer, Schneider, Gronemus, Van Gorden, S. Cogg, Tregoning, Deininger, Zeuske, Zien, Brancel, Goetsch, Schultz, Brandemuehl, Ott, Underheim, Williams and Hubler, by request of Higher Educational Aids Board.

To committee on Colleges and Universities.

Senate Joint Resolution 66

Relating to the public service of Rev. John P. Raynor, S.J.

By Senator George.

To committee on Rules.

COMMUNICATIONS

January 25, 1990

Representative Thomas Loftus
Speaker - Wisconsin State Assembly
Room 211 West, State Capitol
Madison, WI 53702

Mr. Speaker and Dear Tom:

This letter is written to inform you that based on the testimony heard by the Assembly Committee on Agriculture on January 24, 1990, on Assembly Joint Resolution 104 and the overwhelming consensus of the committee membership, I have established a Subcommittee on Aquaculture.

Membership of the subcommittee consists of: Representative Harvey Stower, Chairperson; Representative Barbara Linton, Barbara Gronemus, Wilfred Turba and Sheila Harsdorf.

I have established the following purposes of the subcommittee:

1. Inquiry into the existence or non-existence of Inter-Agency communication and cooperation in the area of Aquaculture promotion and development within our state;
2. Inquiry into existing positive and negative aspects of state agency regulations upon Aquaculture promotion and development;
3. Inquiry into the roles of state government, state agencies and private sector industry in the promotion and development of Aquaculture within our state; and
4. The development of recommendations to the Assembly Committee on Agriculture for legislative initiatives to assist in the promotion and development of Aquaculture in Wisconsin.

Under the dedicated and knowledgeable leadership of Representative Stower, I am confident this subcommittee will provide new insight and legislative initiative in the area of Aquaculture as a part of Wisconsin agriculture.

Respectfully submitted.

Sincerely,
BARBARA GRONEMUS
Chairperson

February 7, 1990

Bruno Mauer, Secretary
Department of Development
123 W. Washington
Madison, WI 53702

Dear Secretary Mauer:

Section 15.555(4)(a) of the Wisconsin Statutes requires the Minority Leader of the Assembly to appoint a Representative to the Rural Economic Development Board.

It is my pleasure to appoint Representative Tom Ourada of Antigo to serve on the Board.

Sincerely,
DAVID PROSSER
Minority Leader

LEAVES OF ABSENCE

Representative Radtke asked unanimous consent for a leave of absence for today's session for Representative Welch. Granted.

CALENDAR OF TUESDAY, FEBRUARY 6

Assembly Bill 541

Relating to referendum ballot form.

Representative Hauke asked unanimous consent that **Assembly Bill 541** be placed after **Assembly Bill 723** on the calendar of Tuesday, February 6. Granted.

Assembly Bill 622

Relating to child abuse and neglect reporting requirements.

Assembly amendment 1 to **Assembly Bill 622** offered by Representative Lahn.

Representative Bell moved rejection of assembly amendment 1 to **Assembly Bill 622**.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 622** offered by Representative Lahn.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Assembly Bill 622** be adopted?

Motion carried.

Representative Bell moved rejection of assembly amendment 1 to **Assembly Bill 622**.

The question was: Shall assembly amendment 1 to **Assembly Bill 622** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Boyle, Brancel, Carpenter,

Clarenbach, Coggs, M., Coggs, S., Deininger, Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Klusman, Krug, Krusick, Kunicki, Larson, Lautenschlager, Lewis, Linton, Loucks, Medinger, Moore, Musser, Notestein, Panzer, Plache, Potter, C., Potter, R., Roberts, Robson, Rohan, Rosenzweig, Schmidt, Schneider, Seery, Stower, Thompson, Travis, Underheim, Van Dreel, Vanderperren, Volk, Wimmer, Wineke, Young, Zweck and Speaker Loftus — 64.

Noes — Representatives Bolle, Brandemuehl, Coleman, Duff, Foti, Gard, Goetsch, Johnsrud, Ladwig, Lahn, Lehman, Lepak, Lorge, Ott, Ourada, Porter, Prosser, Radtke, Rutkowski, Schneiders, Schultz, Swoboda, Tregoning, Turba, Urban, Van Gorden, Vergeront, Walling, Williams, Wood, Zeuske and Zien — 32.

Absent or not voting — Representative Welch — 1.

Motion carried.

The question was: Shall **Assembly Bill 622** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 622** be given a third reading. Granted.

The question was: **Assembly Bill 622** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Huber, Hubler, Huelsman, Klusman, Krug, Krusick, Kunicki, Lautenschlager, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Panzer, Plache, Potter, C., Potter, R., Radtke, Roberts, Robson, Rohan, Rosenzweig, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Underheim, Vanderperren, Volk, Walling, Wimmer, Wineke, Young, Zweck and Speaker Loftus — 67.

Noes — Representatives Bolle, Brandemuehl, Duff, Foti, Gard, Goetsch, Holschbach, Johnsrud, Ladwig, Lahn, Larson, Lehman, Lepak, Ott, Ourada, Porter, Prosser, Rutkowski, Tregoning, Turba, Urban, Van Dreel, Van Gorden, Vergeront, Williams, Wood, Zeuske and Zien — 28.

Absent or not voting — None.

Paired for — Representative Brancel — 1.

Paired against — Representative Welch — 1.

Motion carried.

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Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 622** be immediately messaged to the senate. Granted.

Assembly Bill 723

Relating to designating a portion of the Rock river a scenic urban waterway.

Representative Hauke asked unanimous consent that **Assembly Bill 723** be referred to the Joint Committee on Finance. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 723** be withdrawn from the Joint Committee on Finance and taken up at this time. Granted.

Representative Prosser moved rejection of assembly amendment 1 to **Assembly Bill 723**.

Representative Ourada moved that **Assembly Bill 723** be laid on the table.

The question was: Shall **Assembly Bill 723** be laid on the table?

The roll was taken.

The result follows:

Ayes — Representatives Brancel, Brandemuehl, Duff, Foti, Gard, Harsdorf, Hinkfuss, Huelsman, Klusman, Ladwig, Lahn, Larson, Lorge, Musser, Ott, Ourada, Prosser, Schmidt, Schultz, Tregoning, Turba, Underheim, Urban, Van Gorden, Walling, Wimmer, Zeuske and Zien — 28.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Fergus, Fortis, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Hubler, Johnsrud, Krug, Krusick, Kunicki, Lautenschlager, Lehman, Lepak, Lewis, Linton, Loucks, Medinger, Moore, Notestein, Panzer, Plache, Porter, Potter, C., Potter, R., Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Seery, Stower, Swoboda, Thompson, Travis, Van Dreel, Vanderperren, Vergeront, Volk, Williams, Wineke, Wood, Young, Zweck and Speaker Loftus — 68.

Absent or not voting — Representative Welch — 1.

Motion failed.

The question was: Shall assembly amendment 1 to **Assembly Bill 723** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Brancel, Brandemuehl, Duff, Gard, Gronemus, Huelsman, Johnsrud, Klusman, Ladwig, Lahn, Larson, Ott, Panzer, Prosser, Schmidt, Schultz, Tregoning, Turba, Underheim, Van Gorden, Walling, Wimmer, Zeuske and Zien — 24.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Fergus, Fortis, Foti, Goetsch, Grobschmidt, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krug, Krusick, Kunicki, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ourada, Plache, Porter, Potter, C., Potter, R., Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Seery, Stower, Swoboda, Thompson, Travis, Urban, Van Dreel, Vanderperren, Vergeront, Volk, Williams, Wineke, Wood, Young, Zweck and Speaker Loftus — 72.

Absent or not voting — Representative Welch — 1.

Motion failed.

The question was: Shall assembly amendment 1 to **Assembly Bill 723** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to assembly amendment 2 to **Assembly Bill 723** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 723** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to **Assembly Bill 723** be adopted?

Motion carried.

Assembly amendment 4 to **Assembly Bill 723** offered by Representatives Van Dreel, Vanderperren, Prosser and Hinkfuss.

The question was: Shall assembly amendment 4 to **Assembly Bill 723** be adopted?

Motion carried.

Assembly amendment 5 to **Assembly Bill 723** offered by Representative Duff.

Representative Duff asked unanimous consent that assembly amendment 5 to **Assembly Bill 723** be laid on the table. Granted.

Representative Radtke asked unanimous consent that the rules be suspended to enter and take up a motion to reconsider the vote by which assembly amendment 3 to **Assembly Bill 723** was adopted. Granted.

The question was: Shall the vote by which assembly amendment 3 to **Assembly Bill 723** was adopted be reconsidered?

Motion carried.

Representative Radtke asked unanimous consent that assembly amendment 3 to **Assembly Bill 723** be laid on the table. Granted.

The question was: Shall **Assembly Bill 723** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 723** be given a third reading. Granted.

The question was: **Assembly Bill 723** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Fergus, Fortis, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Hubler, Johnsrud, Krug, Krusick, Kunicki, Lautenschlager, Lewis, Linton, Loucks, Medinger, Moore, Notestein, Ott, Panzer, Plache, Porter, Potter, C., Potter, R., Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Schneiders, Scery, Stower, Swoboda, Travis, Van Dreel, Vanderperren, Vergeront, Volk, Walling, Williams, Wineke, Wood, Young, Zweck and Speaker Loftus — 65.

Noes — Representatives Brancel, Brandemuehl, Duff, Foti, Gard, Goetsch, Gronemus, Harsdorf, Hinkfuss, Huelsman, Klusman, Ladwig, Lahn, Larson, Lehman, Lorge, Musser, Ourada, Prosser, Schmidt, Schultz, Thompson, Tregoning, Turba, Underheim, Urban, Van Gorden, Wimmer, Zeuske and Zien — 30.

Absent or not voting — None.

Paired for — Representative Lepak — 1.

Paired against — Representative Welch — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 723** be immediately messaged to the senate. Granted.

Assembly Bill 541

Relating to referendum ballot form.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 541** offered by Representative Zeuske.

Representative Wineke moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 541**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 541** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Krug, Krusick, Kunicki, Lautenschlager, Linton, Lorge, Medinger, Moore, Notestein, Plache, Potter, C., Potter, R., Roberts, Robson, Rohan, Rutkowski, Schmidt, Schneider, Scery, Stower, Swoboda, Thompson, Travis, Turba, Van Dreel, Vanderperren, Volk, Williams, Wineke, Wood, Young, Zweck and Speaker Loftus — 59.

Noes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Harsdorf, Johnsrud, Klusman, Ladwig, Lahn, Larson, Lehman, Lepak, Lewis, Loucks, Musser, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schneiders, Schultz, Tregoning, Underheim, Urban, Van Gorden, Vergeront, Walling, Wimmer, Zeuske and Zien — 37.

Absent or not voting — Representative Welch — 1.

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 541** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 541** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be given a third reading. Granted.

The question was: **Assembly Bill 541** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Fergus, Fortis, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Johnsrud, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lepak, Linton, Lorge, Medinger, Moore, Musser, Notestein, Ourada, Plache, Porter, Potter, C., Potter, R., Prosser, Roberts, Robson, Rohan, Rutkowski, Schneider, Schultz, Scery, Stower, Swoboda, Thompson, Travis, Van Dreel, Van Gorden, Vanderperren, Volk, Williams, Wimmer, Wineke, Wood, Young, Zien, Zweck and Speaker Loftus — 74.

Noes — Representatives Brancel, Duff, Foti, Harsdorf, Huelsman, Klusman, Lehman, Lewis, Loucks, Ott, Panzer, Radtke, Rosenzweig, Schmidt, Schneiders,

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Tregoning, Turba, Underheim, Urban, Vergeront, Walling and Zeuske — 22.

Absent or not voting — Representative Welch — 1.

Motion carried.

Representative Barca asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be immediately messaged to the senate. Granted.

Assembly Bill 730

Relating to various changes to the statutes pertaining to public library systems.

Representative C. Potter asked unanimous consent that assembly amendment 1 to **Assembly Bill 730** be laid on the table. Granted.

Representative C. Potter moved rejection of assembly amendment 2 to **Assembly Bill 730**.

The question was: Shall assembly amendment 2 to **Assembly Bill 730** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Fergus, Fortis, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krug, Krusick, Kunicki, Ladwig, Larson, Lautenschlager, Lehman, Lepak, Linton, Loucks, Medinger, Moore, Notestein, Ott, Ourada, Plache, Potter, C., Potter, R., Radtke, Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Volk, Williams, Wineke, Wood, Young, Zeuske, Zweck and Speaker Loftus — 73.

Noes — Representatives Deininger, Duff, Foti, Gard, Huelsman, Johnsrud, Klusman, Lahn, Lewis, Lorge, Mussler, Panzer, Porter, Prosser, Rosenzweig, Schmidt, Schneiders, Schultz, Urban, Vergeront, Walling, Wimmer and Zien — 23.

Absent or not voting — Representative Welch — 1.

Motion carried.

Representative C. Potter asked unanimous consent that assembly amendment 3 to **Assembly Bill 730** be laid on the table. Granted.

Assembly amendment 4 to **Assembly Bill 730** offered by Representatives Grobschmidt, Notestein and C. Potter.

The question was: Shall assembly amendment 4 to **Assembly Bill 730** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 730** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 730** be given a third reading. Granted.

The question was: **Assembly Bill 730** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 730** be immediately messaged to the senate. Granted.

Senate Bill 329

Relating to various changes in the requirements for conducting bingo and raffles and granting rule-making authority.

Assembly amendment 1 to **Senate Bill 329** offered by Representatives Barca, Hubler, Kunicki and Swoboda.

The question was: Shall assembly amendment 1 to **Senate Bill 329** be adopted?

Motion carried.

The question was: Shall **Senate Bill 329** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 329** be given a third reading. Granted.

The question was: **Senate Bill 329** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 329** be immediately messaged to the senate. Granted.

Representative Gruszynski asked unanimous consent that the assembly stand recessed for fifteen minutes. Granted.

The assembly stood recessed.

11:43 A.M.

RECESS

12:15 P.M.

The assembly reconvened.

Speaker pro tempore Clarenbach in the chair.

CALENDAR OF THURSDAY, FEBRUARY 8

Assembly Bill 16

Relating to creating fees for a boat titling program and granting rule-making authority.

The question was: Shall senate amendment 1 to **Assembly Bill 16** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 16** be immediately messaged to the senate. Granted.

Assembly Bill 298

Relating to towing operations, abandoned vehicles and transporting occupants of disabled vehicles.

The question was: Shall senate amendment 1 to **Assembly Bill 298** be concurred in?

Motion carried.

The question was: Shall senate amendment 2 to **Assembly Bill 298** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 298** be immediately messaged to the senate. Granted.

Assembly Bill 351

Relating to the definition of a community-based residential facility.

Representative Hauke asked unanimous consent that **Assembly Bill 351** be laid on the table. Granted.

Assembly Bill 400

Relating to insurance coverage of HIV infection and related conditions, use of HIV tests in underwriting insurance, prohibiting certain discrimination toward individuals with HIV infection or AIDS, permitting certain testing for HIV without consent, prohibiting sale of unapproved tests or test kits to detect HIV and providing penalties.

The question was: Shall senate amendment 1 to **Assembly Bill 400** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 400** be immediately messaged to the senate. Granted.

Assembly Bill 461

Relating to instruction in public schools on the transmission of the human immunodeficiency virus and on acquired immunodeficiency syndrome.

The question was: Shall senate amendment 1 to **Assembly Bill 461** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 461** be immediately messaged to the senate. Granted.

Assembly Bill 246

Relating to the penalties imposed on owners of dogs that cause injury or damage.

The question was: Shall assembly amendment 1 to **Assembly Bill 246** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 246** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 246** be given a third reading. Granted.

The question was: **Assembly Bill 246** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 246** be immediately messaged to the senate. Granted.

Assembly Bill 254

Relating to motor vehicle accidents and providing penalties.

Representative Hauke asked unanimous consent that **Assembly Bill 254** be laid on the table. Granted.

Assembly Bill 347

Relating to requiring physicians to accept assignment of certain medicare benefits, requiring a legislative audit bureau audit and providing penalties.

Representative Hauke asked unanimous consent that **Assembly Bill 347** be laid on the table. Granted.

Assembly Bill 503

An act relating to requiring the department of public instruction to study educational programming in secured correctional facilities and child caring institutions.

The question was: Shall **Assembly Bill 503** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 503** be given a third reading. Granted.

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The question was: **Assembly Bill 503** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 503** be immediately messaged to the senate. Granted.

Assembly Bill 522

Relating to allowing state employes and certain local government employes, who are eligible for a disability annuity to avoid delay of the start of the annuity by converting accumulated unused sick leave to credits for the payment of health insurance premiums.

The question was: Shall **Assembly Bill 522** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 522** be given a third reading. Granted.

The question was: **Assembly Bill 522** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, C., Potter, R., Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 95.

Noes — None.

Absent or not voting — Representatives Urban and Welch — 2.

Motion carried.

Representative Urban asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 522** be immediately messaged to the senate. Granted.

Assembly Bill 609

Relating to referenda on the issuance of bonds by school districts.

Assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 609** offered by Representatives Brandemuehl, C. Potter and Harsdorf.

The question was: Shall assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 609** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 609** be adopted?

Motion carried.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 609** offered by Representatives Wimmer, Wineke and Brandemuehl.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 609** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 609** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 609** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 609** be given a third reading. Granted.

The question was: **Assembly Bill 609** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 609** be immediately messaged to the senate. Granted.

Assembly Bill 710

Relating to creating a Dane county lakes and watershed commission, authorizing a tax and granting rule-making authority.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 710** offered by Representative Clarenbach.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Assembly Bill 710** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to **Assembly Bill 710** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 710** offered by Representatives Wineke and Travis.

Representative Wineke asked unanimous consent that assembly amendment 2 to **Assembly Bill 710** be laid on the table. Granted.

Representative Carpenter in the chair.

Assembly amendment 3 to **Assembly Bill 710** offered by Representative Radtke.

Representative Clarenbach moved rejection of assembly amendment 3 to **Assembly Bill 710**.

The question was: Shall assembly amendment 3 to **Assembly Bill 710** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Foti, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Klusman, Krug, Krusick, Kunicki, Lautenschlager, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Notestein, Plache, Potter, C., Potter, R., Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Underheim, Van Dreel, Vanderperren, Volk, Williams, Wineke, Wood, Young, Zweck and Speaker Loftus — 62.

Noes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Duff, Gard, Goetsch, Harsdorf, Huelsman, Johnsrud, Ladwig, Lahn, Larson, Lehman, Musser, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schmidt, Schneiders, Schultz, Turba, Urban, Van Gorden, Vergeront, Walling, Wimmer, Zeuske and Zien — 33.

Absent or not voting — Representatives Tregoning and Welch — 2.

Motion carried.

Speaker pro tempore Clarenbach in the chair.

Assembly amendment 4 to **Assembly Bill 710** offered by Representatives Wineke and Travis.

The question was: Shall assembly amendment 4 to **Assembly Bill 710** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 710** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 710** be given a third reading. Granted.

The question was: **Assembly Bill 710** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, C., Potter, R., Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 94.

Noes — Representatives Goetsch and Lehman — 2.

Absent or not voting — Representative Welch — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 710** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 507** be withdrawn from the committee on State Affairs and referred to the committee on Health. Granted.

VISITORS

During today's session, the following visitors honored the assembly by their presence and were welcomed by the presiding officer and the members:

Don Bulley, from South Milwaukee, and Vivian Guzniczak from Franklin, guests of Representative Grobschmidt.

Linda Orcutt and Heather Eldred from Wausau, guests of Representative Huber.

Robert Keen, from Brodhead, and members of the Wisconsin State Library Association, guests of Representative Deininger.

Eugene McLane from Fond Du Lac, guest of Representative Lautenschlager.

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REFERENCE BUREAU CORRECTIONS

Senate Joint Resolution 66

1. Page 2, line 3: after "Resolved" insert "by".
2. Page 2, line 9: after that line insert:
 "(End)"

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:35 P.M.

Representative Hauke moved that the assembly stand adjourned until 9:30 A.M. on Tuesday, February 13.